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On December 17, 2004.

Jeffrey D. Myers, Reg. No. 35,964

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/754,913  
Applicant : David J. Saxby, et al.  
Filed : January 8, 2004  
Title : PRODUCT MADE BY RECOVERING BONE AND OIL FROM ANIMAL  
BYPRODUCTS

Publication No. : US 2004/0208964  
Published : October 21, 2004

Commissioner for Patents  
United States Patent and Trademark Office  
PO Box 1450  
Alexandria, Virginia 22313-1450

**THIRD PARTY SUBMISSION OF PATENTS OR PUBLICATIONS IN A PUBLISHED APPLICATION**

Dear Sir:

Per 37 CFR 1.99, enclosed is a third party submission in a published application of patents and publications relevant to the prosecution of the above pending published application. This submission is being filed within two months from the date of publication of the above pending published application.

The patents and publications submitted, including the date of publication, are:

- 1) Malcolm B. Hale, "Making Fish Protein Concentrates By Enzymatic Hydrolysis: A status report on research and some processes and product studied by NMFS", NOAA Technical Report NMFS SSRF-657, November 1972
- 2) Malcolm B. Hale, "Using Enzymes to Make Fish Protein Concentrates", *Marine Fisheries Review* 36 (February 1974) 15-18.
- 3) G.M. Pigott, G.O. Bucove, and J.G. Ostrander, "Engineering a Plant for Enzymatic Production of Supplemental Fish Proteins", *Journal of Food Processing and Preservation* 2 (1978) 33-54.
- 4) Mark E. Ludlow, "Hydrolyzer Demonstration Project – Final Report", November 27, 1990.
- 5) Advanced Hydrolyzing Systems, Inc. brochure, April 1990.

- 6) U.S. Patent No. 5,162,129, entitled "Particulate proteinaceous product containing non-heat-denatured animal protein", filed on May 15, 1991, issued on November 10, 1992.
- 7) U.S. Patent No. 5,113,755, entitled "Apparatuses for producing a proteinaceous product by digestion of raw animal parts", filed on October 1, 1991, issued on May 19, 1992.
- 8) U.S. Patent No. 5,053,234, entitled "Method for producing a proteinaceous product by digestion of raw animal parts", filed on June 8, 1990, issued on October 1, 1991.


Enclosed herewith are copies of each.

A copy of these patents and publications is being served to the attorney of the Applicant pursuant to 37 CFR 1.248 (see certification below).

Enclosed with this submission is a check in the amount of \$180, the submission fee per 37 CFR 1.17(p). Authorization is given to charge payment of any additional fees required, or credit any overpayment, to Deposit Acct. 13-4213.

Respectfully submitted,

By:

  
Jeffrey D. Myers, Reg. No. 35,964  
Direct line: (505) 998-1502

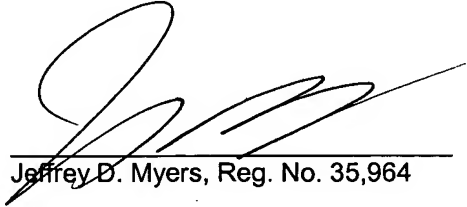
PEACOCK, MYERS & ADAMS, P.C.  
P.O. Box 26927  
Albuquerque, New Mexico 87125-6927  
Telephone: (505) 998-1500  
Facsimile: (505) 243-2542

**Customer No. 005179**

The undersigned hereby certifies that a true and correct copy of this submission was sent via airmail on the 17th day of December, 2004 to:

John Russell Uren  
P.O. Box 91909  
West Vancouver, British Columbia  
CANADA V7V 1A7

By:

  
Jeffrey D. Myers, Reg. No. 35,964